

INVISIBLE INSTITUTE

February 4, 2019

Superintendent Eddie Johnson
Chicago Police Department
3510 S. Michigan Avenue
Chicago, IL 60653

Dear Superintendent Johnson,

I am writing to inform you that I have made the attached Freedom of Information Act request for the Inspector General's reports on the eleven officers alleged to have participated in covering up Officer Jason Van Dyke's murder of Laquan McDonald. I previously requested these documents and was denied. The purpose of this letter is to explain why the Chicago Police Department should now, in light of changed circumstances, release the OIG's reports to the public.

Since my first request on November 11, 2016, the Van Dyke murder trial has concluded. Judge Gaughan's decorum order, which was cited as a reason the OIG reports could not be released, is thus no longer in force.

Also, the conspiracy trial of Officers Gaffney, Walsh, and March, each of whom was the subject of one of the OIG reports, has now been concluded.

The documents at issue have been widely distributed. In addition to the Chicago Police Department, Judge Gaughan has them, as do the prosecution and defense in the Van Dyke trial. The special prosecutor in the trial of Gaffney, Walsh, and March has them. The Police Board has them. The City Law Department has them. And, by virtue of a leak, the *Chicago Tribune* has some of them.

Yet the public does not have access to them. In the aftermath of the two trials, public interest in the reports is intense. They constitute the most exhaustive investigation into the operation of the code of silence in the McDonald case. That investigation was undertaken by the OIG at the request of the chief administrator of IPRA. The reports are thus the functional equivalent of closed IPRA investigations. Under *Kalven v. Chicago*, such investigations are public information.

It is critically important, as we go forward with the long-term process of police reform, that the public have access to this information. I ask that you publicly release the OIG reports now.

Sincerely,



Jamie Kalven
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CC Inspector General Joseph Ferguson

Feb 4, 2019, 11:24 AM

FOIA request for police officer investigations

From: Jamie Kalven <kalven@invisibleinstitute.com>

To: FOIA <foia@chicagopolice.org>

Please provide by e-mail the eleven investigations by the Office of the Inspector General of Chicago police officers involved in the shooting of Laquan McDonald by Jason Van Dyke provided to the Chicago Police Department. Please include the complete investigations and any attachments.

Consistent with the City's policy implemented with the settlement of *Kalven v. City of Chicago*, 2014 IL App (1st) 121846, I do not object to the redaction of the names and identifying information of complainants, non-police witnesses, and police witnesses/ whistleblowers who support the claim that the accused officer or officers committed misconduct. Per the policy, the Department should not redact the birth year, age, gender, or race of these individuals. I also do not object to the redaction of personal information about the accused officers, such as the officer's social security number, home address, and home phone.

Because I seek the information as a journalist in order to disseminate it to the public, and because the information regards the safety, welfare, and legal rights of the general public, the request meets the statutory definition of "in the public interest." This request is not for commercial benefit as defined in the statute. To the extent you intend to assess any charges, please notify me to discuss first.

Sincerely,

Jamie Kalven

773-220-5085

kalven@invisibleinstitute.com